

April 13, 2011

GLORIA L. FRANKLIN, CLERK

U.S. BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re

WHITEHARVEST, LLC,

No. 10-11769

Debtor(s).

Memorandum

In his reply, the Trustee represents that “Debtor’s counsel proposed that he would prepare and file the motion to sell in order to expedite the process and to limit the estate’s administrative expense and that the Trustee could join in the motion later.” The court suggests that it will take more than “joinder” to make a silk purse out of this sow’s ear. The court intends to deny the motion without prejudice to the Trustee’s rights, not allow the Trustee to make sense out of nonsense. The court also reminds the Trustee that when the debtor sought to reopen the case, *the debtor asked that no trustee be appointed!* The only reason the court reopened the case is to permit the Trustee to try and recover something for creditors, not give license to a frivolous motion by the debtor. The Trustee is cautioned that if he lends any credence to the motion he may share liability for any sanctions the court may consider.

Dated: April 13, 2011

  
Alan Jaroslovsky  
U.S. Bankruptcy Judge